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REMARKS

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

Claims 26-50 are presently pending in the Application and the Applicant thanks the Examiner for indicating that claim 27 is allowed and that while that claims 34 and 36-50 are objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. In Response, claims 34 and 36 are amended to be independent claims which include all of the limitations of base claim 26 and any intervening claim. In view of such amendment, the Applicant believes that claims 34 and 36, as well as claims 37-50 which all ultimately depend from claim 36, are now in condition for allowance.

It will be noted that all of the above submitted amendments to the claims are fully supported by the specification, drawings and claims of the present Application as originally filed and that none of the above submitted amendments to the claims add any new matter to or alter the subject matter of the present invention, the specification, the drawings, or the claims.

Next, claims 26 and 28-31 are rejected, under 35 U.S.C. § 102(b), over Haka `528, claims 26, 28-33 and 35 are rejected, under 35 U.S.C. § 102(b), over Usoro et al. `787, while claims 26, 28-33 and 35 are rejected, under 35 U.S.C. § 102(e), as being anticipated by Baldwin `563. The Applicant acknowledges and respectfully traverses all of the raised anticipatory rejections in view of the following remarks.

Upon reviewing of the rejected claims, the cited prior art references, and the Examiner's interpretations of the teachings of the cited prior art references, claim 26 is amended to more clearly and explicitly recite the elements and limitations by which claim 26, and thereby dependent claims 26, 28-33 and 35, are patentably distinguished over and from the teachings of Haka `528, Usoro et al. `787 and/or Baldwin `563. It will be noted that, again, all of the above submitted amendments to the claims are fully supported by the specification, the drawings and the claims of the present Application, as originally filed, and

that none of the above submitted amendments to the claims add any new matter to or alter the subject matter of the present invention, the specification, the drawings, or the claims.

Turning now to the fundamental and patentable distinctions between the present invention as recited in the claims under consideration, it is the Applicant's belief that none of Haka `528, Usoro et al. `787 and Baldwin `563, either taken individually or in any permissible combination, in any way in any way teach, suggest, disclose or remotely hint at a dual-clutch planetary transmission (1) that includes first, second, third and fourth planetary gear sets (P1, P2, P3, P4), first and second frictional shifting elements (K1, K2) that include at least one clutch and that are positioned between a transmission input shaft (3) and the first planetary gear set (P1) for selecting different power paths in a power flow, and first, second, third, fourth, fifth, sixth and seventh shape-fit, shifting elements (A to F) for selecting gear ratio stages in the power paths.

It is further the Applicant's position that none of Haka `528, Usoro et al. `787 and Baldwin `563, either taken individually or in any permissible combination, in any way teach, suggest, disclose or remotely hint at such a transmission (1) wherein the first planetary gear set (P1) is a simple planetary gear set and the second planetary gear set (P2), the third planetary gear set (P3) and the fourth planetary gear sets (P4) form a 3-carrier-5-shaft transmission apparatus with separate planetary gears (PR2 to PR4) and the first, second, third, fourth, fifth, sixth, and seventh shape-fit, shifting elements (A to F) are arranged between the first planetary gear set (P1) and the second planetary gear set (P2). In fact, it appears that the arrangements of gears, shafts and shifting elements within the transmissions of each of Haka `528, Usoro et al. `787 and Baldwin `563 renders the recited arrangement of shape-fit shifting elements impossible.

Likewise, none of Haka `528, Usoro et al. `787 and Baldwin `563, either taken individually or in any permissible combination, in any way teach, suggest, disclose or remotely hint at a dual-clutch planetary transmission (1) in which the first, second, third, fourth, fifth, sixth, and seventh shape-fit, shifting elements (A to F) are positioned between shafts (S1 to S4, ST1 to ST4, HR1 to HR4) of the first, the second, the third, and the fourth planetary gear sets (P1 to P4), a housing (2), a transmission input shaft (3) and a

transmission output shaft (4), such that at least first, second, third, fourth, fifth and sixth gear ranges (1 to 6), can be accomplished in a manner free of any interruption in traction.

In view of the above claim amendments, the Applicant accordingly respectfully requests that the Examiner reconsider and withdraw all rejections of claims 26, 28-33 and 35, under 35 U.S.C. 102 or 35 U.S.C. 103, over Haka `528, Usoro et al. `787 and Baldwin `563 or any permissible combinations thereof, and allow claims 26, 28-33 and 35 as presented herein above.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Haka `528, Usoro et al. `787 and Baldwin `563 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

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In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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